

## SENATE BILL NO. 302

INTRODUCED BY BARKUS, JACKSON, O'NEIL, CURTISS, BRUEGGEMAN, TAYLOR, WEINBERG,  
REINHART, BLASDEL, LAIBLE, MACLAREN, W. JONES

A BILL FOR AN ACT ENTITLED: "AN ACT REMOVING SPECIAL SPEED RESTRICTIONS FOR CERTAIN  
PORTIONS OF U.S. HIGHWAY 93; AND AMENDING SECTION 61-8-303, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Section 61-8-303, MCA, is amended to read:

**"61-8-303. Speed restrictions.** (1) Except as provided in 61-8-309, 61-8-310, and 61-8-312, ~~and~~  
~~subsection (2) of this section,~~ the speed limit for vehicles traveling:

(a) on a federal-aid interstate highway outside an urbanized area of 50,000 population or more is 75  
miles an hour at all times and the speed limit for vehicles traveling on federal-aid interstate highways within an  
urbanized area of 50,000 population or more is 65 miles an hour at all times;

(b) on any other public highway of this state is 70 miles an hour during the daytime and 65 miles an hour  
during the nighttime;

(c) in an urban district is 25 miles an hour.

(2) ~~The speed limit for vehicles traveling on U.S. highway 93 between reference marker 133 northwest  
of Whitefish and the Idaho border is 65 miles an hour at all times. The speed limit imposed by this subsection  
ceases to be effective if U.S. highway 93 is upgraded to a continuous four-lane highway.~~

~~———~~(3) A vehicle subject to the speed limits imposed in subsection (1) traveling on a two-lane road may  
exceed the speed limits imposed in subsection (1) by 10 miles an hour in order to overtake and pass a vehicle  
and return safely to the right-hand lane.

~~(4)~~(3) Subject to the maximum speed limits set forth in ~~subsections~~ subsection (1) ~~and (2)~~, a person shall  
operate a vehicle in a careful and prudent manner and at a reduced rate of speed no greater than is reasonable  
and prudent under the conditions existing at the point of operation, taking into account the amount and character  
of traffic, visibility, weather, and roadway conditions.

~~(5)~~(4) Except when a special hazard exists that requires lower speed for compliance with subsection ~~(4)~~  
(3), the limits specified in 61-8-312 and in this section or established as authorized in 61-8-309 through 61-8-311

1 and 61-8-313 are the maximum lawful speeds allowed.

2 ~~(6)~~(5) "Daytime" means from one-half hour before sunrise to one-half hour after sunset. "Nighttime"  
3 means at any other hour.

4 ~~(7)~~(6) The speed limits set forth in this section may be altered by the transportation commission or a local  
5 authority as authorized in 61-8-309, 61-8-310, 61-8-313, and 61-8-314."

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